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HOUSE BILL 496

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Joseph Cervantes

AN ACT

RELATING TO PUBLIC HOUSING; PROVIDING THAT A REGIONAL HOUSING AUTHORITY AND A MUNICIPAL OR COUNTY HOUSING AUTHORITY OR AGENCY MAY EACH EXERCISE JURISDICTION OVER COMMON AREAS OR MAY, PURSUANT TO A JOINT POWERS AGREEMENT, JOINTLY OPERATE WITHIN A COMMON AREA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 11-3A-5 NMSA 1978 (being Laws 1994, Chapter 132, Section 5, as amended) is amended to read:

"11-3A-5. JURISDICTION. -- A regional authority created by the Regional Housing Law shall operate within the area of its housing region ~~[except for that]~~. If a portion of the area ~~[that]~~ lies within the territorial boundary of a municipality or county that has established an authority or housing agency, ~~[If by resolution the governing bodies of municipalities or~~

underscored material = new
[bracketed material] = del etc

underscored material = new
[bracketed material] = delete

1 ~~counties that have established authorities or housing agencies~~
2 ~~consent to have the regional authority take action within the~~
3 ~~territory that would be excluded under this section, the~~
4 ~~regional authority may enlarge its jurisdiction to include the~~
5 ~~previously excluded territory. Any subsequent withdrawal of~~
6 ~~consent by resolution of a local public body or a municipal or~~
7 ~~county authority shall not prohibit the development and~~
8 ~~operation of any housing projects initiated in the city or~~
9 ~~county by the regional authority prior to the date of the~~
10 ~~resolution withdrawing consent when there is a financial~~
11 ~~assistance contract in existence for the project with the state~~
12 ~~or federal government at the date of the withdrawal of consent~~
13 ~~except upon terms that are mutually agreed upon between the~~
14 ~~regional authority, the governing bodies of the cities or~~
15 ~~counties and the state or federal government] the regional~~
16 authority and the municipal or county authority or agency may
17 each exercise its jurisdiction over the common area or,
18 pursuant to a joint powers agreement, the regional authority
19 and the municipal or county authority or agency may agree to
20 exercise joint jurisdiction. "